

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F048133      People v. Davis**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F049351      In re Ramon E., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F049351      In re Ramon E., a Minor**

The challenged probation condition is modified to provide: “Not to illegally use or possess narcotics or any other controlled substances or related paraphernalia and to stay away from places known to the minor to be places where illegal users of narcotics and other controlled substances congregate.” The maximum period of confinement is reduced to six months. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F050158      In re Jimmy D., a Minor**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F047189      Ramirez v. Napoles et al.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F047189      Ramirez v. Napoles et al.**

The judgment is affirmed. Costs on appeal are awarded to respondents.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F049175      In re Jordan S. et al., Minors**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F048265      In re Jordan S. et al., Minors**

The order denying appellant's section 388 petition and order terminating parental rights as to Auzuna are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048265      Driscoll v. Madera Co. Dept of Social Services**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F048265      Driscoll v. Madera Co. Dept of Social Services**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048992      In re Kirk Davis on Habeas Corpus**

The Department of Corrections is ordered to show cause before the Tulare County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to relief. The written return shall be served and filed on or before 30 days from the date of this opinion, or on a date set by the superior court, whichever is later. Petitioner is granted leave to file a reply on or before 30 days after the return is filed or on a date set by the superior court, whichever is later.

The Clerk/Administrator of this court is authorized to cause copies of the pleadings and orders in this action to be filed in the Tulare County Superior Court.

Upon receipt of said materials, the Tulare County Superior Court is directed to appoint counsel for petitioner if petitioner is unable to arrange for his present counsel to continue her representation and to conduct further proceedings in accordance with the California Rules of Court, rule 4.551. (People v. Romero (1994) 8 Cal.4th 728; In re Lawler, supra, 23 Cal.3d at p. 190; People v. Barton (1978) 21 Cal.3d 513, 519, fn.3.)

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048216      R. L. Schafer & Associates v. Certain Underwriters at Lloyd's of London**

Appellant's petition for rehearing filed herein is denied.

**F050075      Mayer v. Martinez**

Per the "Motion to be Relief from default" filed with this court on June 21, 2006, by appellant Esteban Martinez, it is hereby ordered that the May 22, 2006, order dismissing the appeal is vacated. The appeal is ordered reinstated and restored to active status. Appellant Esteban Martinez has 15 days from the date of filing of this order in which to procure the record on appeal.